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PTO/SB/31 (08-03)

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

#618408-0 30001510-2 US

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to "Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450" on 11/21/06

Signature Mari K. Leung

Typed or printed name Mari K. Leung

In re Application of

Michael Wray

Application Number

09/732,948

Filed

12/7/00

For

"Electronic Certificate"

Art Unit

2134

Examiner

Wright, Norman M.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced
by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment
to Deposit Account No. 08-2025. I have enclosed a duplicate copy of this sheet.

* ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☐ attorney or agent of record.
Registration number _____

☒ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a). 31,247

R. Dabney Eastham

Signature

R. Dabney Eastham

Typed or printed name

(323) 934-2300

Telephone number

11/21/06

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

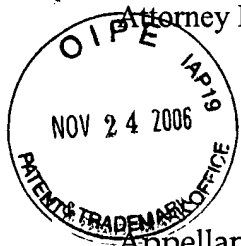
☒ *Total of 2 forms are submitted.

11/27/2006 YPOLITE1 00000027 002025 09732948

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a patent (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

* Please see attached "TRANSMITTAL LETTER FOR SECOND NOTICE OF APPEAL (REINSTATEMENT OF APPEAL)."



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Michael WRAY

) On Appeal to the Board of Patent
) Appeals and Interferences

Application No.: 09/732,948

) Group Art Unit: 2134

Filed: December 7, 2000

) Examiner: Norman M. Wright

For: "Electronic Certificate"

) Date: November 21, 2006

**TRANSMITTAL LETTER FOR SECOND NOTICE OF APPEAL (REINSTATEMENT
OF APPEAL)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This letter accompanies a second notice of appeal. The non-final office action mailed on August 24, 2006 is appealed.

Applicant filed a first notice of appeal, received by the Office on January 31, 2006, in response to the final rejection mailed on December 2, 2005. The Applicant then filed an appeal brief, received by the Office on April 24, 2006. The Applicant paid both the appeal fee and the appeal brief fee by directing the Office to charge deposit account 08-2025.

It is believed that no additional appeal fee or appeal brief fee need be paid because this is a reinstatement of appeal and no change in the appeal fees has occurred. M.P.E.P. § 1204.01.

* * *

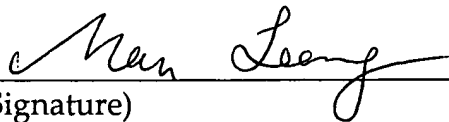
The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this Appeal is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this Appeal Brief timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 21, 2006.

(Date of Transmission)

Mari K. Leung

(Name of Person Transmitting)




(Signature)

November 21, 2006

(Date)

Respectfully submitted,



R. Dabney Eastham

Attorney for Appellant

Reg. No. 31,247

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